

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION

KATHY MCCORD,)
)
 Plaintiff,)
)
 v.)) No. 1:23-cv-00866-RLY-CSW
)
)
 SOUTH MADISON COMMUNITY)
 SCHOOL CORPORATION,)
)
 Defendant.)

**SETTLEMENT CONFERENCE SCHEDULING ORDER
U.S. MAGISTRATE JUDGE CRYSTAL S. WILDEMAN**

This matter is set for a **Settlement Conference** on **March 5, 2026, at 2:00 p.m., (EST)**, before Magistrate Judge Crystal S. Wildeman, in room 316, of the Birch Bayh Federal Building & United States Courthouse, 46 East Ohio Street, Indianapolis, Indiana.

ATTENDANCE AND PARTICIPATION

Unless excused by order of the court, clients or client representatives with complete authority to negotiate and communicate a settlement shall attend the settlement conference along with their counsel. This requires the presence of each party, or the authorized representative of each corporate, governmental, or other organizational entity. All individuals must attend the conference in person, unless prior approval of the Court is received to attend telephonically for good cause shown. Any legal entity and/or any insurance company that is a party or is contractually required to defend or indemnify any party, in whole or in part, must have a fully authorized settlement representative present at the

conference. Such representative must have final settlement authority to commit the company to pay, in the representative's own discretion, the amount of plaintiff's most recent demand, or in the case of the representative of an insurance company that is not a party, the total amount within any policy limits, if such amount is lower than the Plaintiff's most recent demand.¹ The purpose of this requirement is to have in attendance a representative who has the authority to exercise discretion to settle the case during the settlement conference without consulting someone else who is not present. Under no circumstances will counsel of record be deemed to be the proper client representative for settlement purposes. **No other persons are permitted to attend the settlement conference without leave of Court.**

If there exist any liens or potential liens upon Plaintiff(s)' potential recovery, Plaintiff(s)' counsel shall fully inform themselves of the nature and amount of all such liens and shall undertake to negotiate a resolution of such liens in advance of the settlement conference. If such endeavor is not possible, Plaintiff(s)' counsel shall make arrangements to be in telephonic communication with representatives of any such lienholders during the course of the settlement conference for the purpose of negotiating a final resolution of any such liens.

PRE-CONFERENCE SUBMISSIONS TO THE COURT

Defendant(s) shall prepare and exchange with Plaintiff(s) a proposed

¹ A representative of a corporate party or an insurance company who has any predetermined limits upon the extent of their authority to resolve this matter fails to satisfy this requirement. The purpose of this requirement is to ensure that each legal entity and insurance company participating in the proceeding has present a representative who can listen to the arguments and other discussion which take place during the settlement conference and make a full and independent determination regarding the appropriate settlement value of the case without reference to any person or group of persons not present at the settlement conference and who can articulate the reasons for such determination to the Court based upon their sole and independent judgment.

draft settlement agreement seven (7) days prior to the settlement conference. The draft settlement agreement should contain all material provisions that any party believes should be included. The purpose of the draft settlement agreement is to reach agreement on as many provisions as possible and to provide a document for discussion during the conference. **No later than twenty-four (24) hours prior to the settlement conference, the parties shall email a Word-version of the final draft agreement to the Magistrate Judge.**

No later than five (5) business days prior to the scheduled conference, the parties shall submit (not file) to the Magistrate Judge via email a confidential settlement statement setting forth a brief statement of: (1) relevant facts, including any key facts that the party believes are admitted or in dispute; (2) damages, including any applicable back pay, mitigation, compensatory and/or punitive damages, or any other special damages; (3) the existence of any applicable liens; (4) any pending or anticipated dispositive or other substantive motions and citation to controlling precedent in support of their respective legal positions; (5) a summary of the parties' settlement efforts to date; and (6) include the names and titles of all persons participating in the settlement conference. . **The confidential settlement statement should not exceed ten (10), double-spaced pages, and submission of exhibits should be kept to a minimum.**

No later than fourteen (14) days prior to the settlement conference, Plaintiff(s) shall serve an updated settlement demand on Defendant(s), who shall serve an updated response no later than seven days before the settlement conference. The parties shall submit (not file) to the Magistrate

Judge via email courtesy copies of their respective demand and response at the time of service.

A request to vacate or continue the settlement conference or otherwise depart from this order shall be done by motion filed with the Court **two (2) weeks** prior to the conference, except in exigent circumstances. Such motion will be granted only for good cause. Failure to comply with any of the provisions in this order may result in sanctions.

Counsel are reminded of their obligation under Local Rule 16.1(c) which states: "Prior to all court conferences, counsel shall confer to prepare for the conference."

The email address to be utilized for all aforementioned email submissions to the Magistrate Judge is `csw_settlement@insd.uscourts.gov`. *The settlement email address is not to be used for general communications with chambers. It is not monitored for such communications.*

SO ORDERED.

Date: January 6, 2026



Crystal S. Wildeman
United States Magistrate Judge
Southern District of Indiana

Distributed electronically to ECF registered counsel of record.